

MANDATE

USDC/MA
Zobel, R.

**United States Court of Appeals
For the First Circuit**

No. 05-2819
D.C. No. 04-10288

UNITED STATES,

Appellee,

v.

JOSEPH ALLEN,

Defendant, Appellant.

Before

Lynch, Lipez and Howard,
Circuit Judges.

JUDGMENT

Entered: January 11, 2006

Before us is the timely appeal of defendant Joseph Allen, who seeks review of the district court's decision finding that he violated the conditions of his pre-trial release and ordering his detention until trial. We have conducted the required independent review of the record and agree with the district court's determination that Allen poses a risk of danger to the community, that he has demonstrated that he is unlikely to abide by any condition or conditions of release, and that there is no condition or combination of conditions that will ensure the safety of the community. 18 U.S.C. § 3148; United States v. O'Brien, 895 F.2d 810, 814 (1st Cir. 1990).

The district court's order is **affirmed** and the appeal is dismissed.

**Certified and Issued as Mandate
under Fed. R. App. P. 41.**

Richard Cushing Donovan, Clerk

George Kretas
Deputy Clerk

Date: 2/1/06

By the Court:

Richard Cushing Donovan, Clerk.

MARGARET CARTER

By:

Chief Deputy Clerk.

[Certified copies: Hon. Rya W. Zobel and Ms. Sarah A. Thornton,
Clerk of the United States District Court of Massachusetts]

[cc: David G. Tobin, AUSA, Dina Michael Chaitowitz, AUSA,
James L. Sultan, Esq.]